

REMARKS/ARGUMENTS

Claims 1-20, 24 and 25 are pending herein. Claims 1 and 2 have been amended hereby, claims 21-23 have been cancelled without prejudice or disclaimer, and claims 24 and 25 have been added hereby. Applicants respectfully submit that support for the new and rewritten claims can be found in original claim 2 and in paragraphs [0013], [0027], and [0031] of the original specification, for example, and that no new matter has been added.

Examiner Robinson is thanked for the courtesies extended to Applicants' undersigned representative during a teleconference on November 2, 2010, at which time Examiner Robinson confirmed that any claim amendments that introduce new issues that require further search or consideration would not be entered at this stage without an RCE. Accordingly, an RCE is filed herewith.

1. The specification objection is noted, but deemed moot in view of the substitute specification paragraph submitted above. Accordingly, Applicants respectfully request that the above objection be reconsidered and withdrawn.

2. The §112, first paragraph rejection of claims 21 and 23 and the §112, second paragraph rejection of claims 21-23 are noted, but deemed moot in view of the cancellation of those claims. Accordingly, Applicants respectfully request that the above rejections be reconsidered and withdrawn.

3. Claims 1, 3-12, 14-20, 22 and 23 were rejected under §102(b) over WO '105, as evidenced by Chisso Silaplane; claims 1-12 and 14-23 were rejected under §103(a)

over Nakamura in view of WO '105; and claims 1, 3-7 and 12-14 were rejected under §103(a) over JP '600 in view of WO '105. To the extent that the PTO might attempt to assert these rejections against the new and rewritten claims submitted above, they are respectfully traversed.

Independent claim 1 now recites that the low refractive index layer comprises a first layer and a second layer provided on the first layer, that the first layer is formed of a binder and hydrophobitized fine particles that contain voids and have an average particle diameter of not less than 5 nm and not more than 300 nm, that the second layer consists of the binder alone, being the same binder material as that of the first layer, that a ratio of a thickness of the first layer to a thickness of the second layer is 3:2, 2:1, or 3:1, and that the binder contains a monomer having, in one molecule, three or more functional groups that are curable upon exposure to ionizing radiation.

EP '105 discloses an antistatic film including a transparent support and a low refractive index layer. Nakamura discloses an overcoat layer covering surface unevenness for a low refractive index layer. Nakamura discloses that the binder in the low refractive index layer is a polymer, and that the overcoat layer is made of a fluorine-containing polymer having a weight-average molecular weight of 20,000 or more, so as not to penetrate the voids inside the low refractive index layer. However, Nakamura fails to disclose or suggest that the material of the overcoat layer is the same as the binder of the low reflective index layer, or that the binder of the low reflective index layer is a fluorine-containing polymer. Nakamura discloses that a copolymer comprising a repeating unit containing a fluorine atom and a repeating

group containing no fluorine atom may be used as the fluorine-containing polymer. However, Applicants respectfully submit that it is readily understood that the copolymer necessarily comprises a repeating unit containing a fluorine atom.

Accordingly, Applicants respectfully submit that Nakamura fails to disclose or suggest that the second layer consists of the same binder as that of the first layer alone, as claimed.

Further, Applicants respectfully submit that Nakamura fails to disclose or suggest that the ratio of the thickness of the first layer to the thickness of the second layer is 3:2, 2:1, or 3:1, as claimed, or that the binder contains a monomer having, in one molecule, three or more functional groups curable upon exposure to ionizing radiation, as claimed.

JP '600 discloses an antireflective laminate with a low-refraction coating composition having a nanoporous structure formed on at least one surface of a substrate. However, JP '600 fails to disclose or suggest that the low refractive index layer comprises a first layer and a second layer provided on the first layer, that the second layer consists of the same binder as that of the first layer alone, or that the ratio of the thickness of the first layer to the thickness of the second layer is 3:2, 2:1, or 3:1, as claimed.

Since EP '105, Nakamura and JP '600 all fail to disclose or suggest each and every feature recited in independent claim 1, Applicants respectfully submit that all claims pending herein define patentable subject matter over the prior art of record.

Accordingly, Applicants respectfully request that the above rejections be reconsidered and withdrawn.

4. Claims 1, 3-5, 7-10, 12 and 14-21 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 1, 11, 13-15 and 17-23 of copending Application No. 10/569,363. To the extent that the PTO might attempt to assert this provisional rejection against the rewritten claims submitted above, it is respectfully traversed.

Applicants respectfully submit that claims 1, 11, 13-15 and 17-23 of copending Application No. 10/569,363 do not disclose or suggest that the low refractive index layer comprises a first layer and a second layer provided on the first layer, much less that the second layer is formed of the same binder as that of the first layer alone, or that a ratio of a thickness of the first layer to a thickness of the second layer is 3:2, 2:1, or 3:1. Accordingly, Applicants respectfully request that the above rejection be reconsidered and withdrawn.

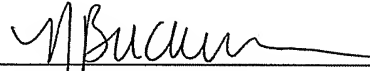
If Examiner Robinson believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, she is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,

November 2, 2010

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